

REMARKS

Applicant has reviewed and considered the Office action dated Dec. 27, 2002, claims 1, 29, 45, and 47 are amended, a new claim 49 is added, the new claim 49 is a part of the claim 29, and claims 25, 28, and 46 are canceled. Reconsideration of the present application is respectfully requested.

Claims 1, 29, 47 and 48 have been rejected under 35 U.S.C. 102(b) as being anticipated by JP6-225651.

Claim 1 recited a self watering tray with support for direct supporting a regular plant pot, the support extends upward from the wall of the tray either side wall or bottom wall, or between the side and bottom wall, the support not hollow, and all in one piece. The reason Examiner rejected claim 1 is that " JP6-225651 disclosesat least one support (7 of Fig. 7) extending from the bottom wall (see Fig. 1)", but JP6-225651 never disclosed or claimed so. JP6-225651 discloses ".....parts 81 raised from bottom wall of the tray 8 for holding the pot support 7 to stop moving in tray, the pot support 7 easy connect to or disconnect from the part 81....."(line 4 - 8, column 9). Clearly, the part 81 extend from the bottom wall but does not directly support a pot, the pot support 7 support a pot directly but do not extend upward from the bottom wall, they are in two pieces. Obviously, claim 1 is patentable over JP6-225651, claims 29, 47, and 48 are dependent claims of claim 1, all patentable.

Claims 27, and 44 have been rejected under 35 U.S.C. 102(b) as being anticipated by JP7-147851.

Claims 27, 44 recited a tray with at least one leg, the at least one leg having two section and a shoulder, the shoulder between the up and low section

support. JP7-147851

discloses a plurality supports 7 and a wicking 6 (Figure 1). Either supports 7 or wicking 6 without shoulder (Figure 2-4). Examiner thinks "up section" and "low section", but ignored the "shoulder". Clearly, the present invention is different with JP7-147851. Obviously, claims 27, 44, 45 are patentable over JP7-147851.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP7-147851.

Claim 27 recited a leg, the leg having two sections and a shoulder between of them. Because of the "shoulder", the leg of present invention is different with JP7-147851. Meanwhile, claim 27 is a broad claim, the "leg" includes 5 different legs: 1, side walls only (include: up section side wall, low section side wall, and shouler wall--between the up section and the low section); 2, side walls and a bottom wall with at least one hole disposed on the bottom wall; 3, side walls and a top wall; 4, side walls, a top wall, and a bottom wall; 5, up section and low section, the leg is not hollow (1 to 4, the legs are hollow). At 1 and 2, the leg fill with fluid sicking material; at 3, 4, and 5, a wick is accompanied---while the at least one leg can not filled fluid sucking material.

Concern Examiner's response to arguments: 1, JP6-225651 discloses "the element 7 is movable (line 4-8, culumn 9, and line 34-36, culumn 6); in claim 1 of present invention, the support extends from wall(s) of the tray (the support can't move); If the element 7 not to be hollow, how does the element 7 be hold by element 81 to stop moving in the tray? 2, but JP7-147851 does not claimd or disclosed element 6 and 7 to be one element.

In view of the above, claims 1, 27, 29, 44-45, and 47-49 are patentable over the cited references, therefore, Applicant respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

Respectfully submitted

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Date: March 20, 2003